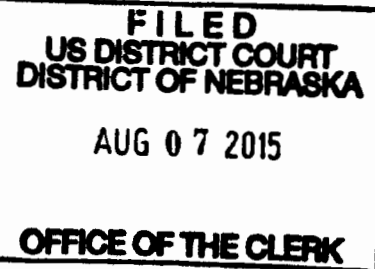


IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA



UNITED STATES OF AMERICA)

Plaintiff,)

v.)

KENDALL TEALER,)

Defendant.)

Case No. 14-CR185-LES-FG3-1

**First
Scheduling Order**

- 8/30/2015 Parties to Conduct Discovery Conf. Regarding Racketeering and Murder issues and File Report to the Court Not Later than 10 Days thereafter.
- 8/31/2015 Government's Deadline to File Response to Defendant's Motion to Dismiss.
- 9/15/2015 Defendant's Deadline to File a Reply to Government's Response to Defendant's Motion to Dismiss.
- 9/30/2015 Fed. R. Crim. P. 17.1 Conference and Evidentiary Hearing on Defendant's Motion to Dismiss: 9:00 a.m. – 12:30 p.m.
- 10/01/2015 Evidentiary Hearing Continued on Defendant's Motion to Dismiss: 9:00 a.m. -12:30 a.m.
- 10/15/2015 Government's Rule 16 Discovery to Be Complete as to cell phone, ballistics, fingerprints, Shoe prints and DNA
- 10/26/2015 Fed. R. Crim. P. 17.1 conference
- 11/15/2015 Defense Mitigation Submission to the Local United States Attorney Regarding Death Penalty
- 11/15/2015 Defendant to give Notice of Any Guilt stage Defense under Rule 12.2
- 12/15/2015 Deadline for Government Disclosure Rule 16 (a)(1)(F) (Reports

examinations and tests) and Rule 16 (a)(1) (G) (Expert witnesses) regarding forensic issues and gang and racketeering experts

- 1/11/2016 Fed. R. Crim. P. 17.1 conference and Hearing on Pending Motions
- 4/11/2016 Before this date, Government shall not file Notice Pursuant to 18 U.S.C. § 3593 that the Death Penalty Will or Will Not be Sought If Defendant is Convicted of Murder
- 4/11/2016 Defense Motions to Suppress
- 4/11/2016 Government Notice of 404 (B) Evidence
- 4/28/2016 Fed. R. Crim. P. 17.1 conference and Hearing on Pending Motions
- 5/1/2016 Deadline for Defense Rule 16 (b)(1)(A-C) Defense disclosures
- 5/12/2016 Government Response Motions to Suppress
- 6/15/2016 All Rebuttal Expert Disclosure, from Any Party
- 7/1/2016 All Other Pretrial Motions, Including Daubert Motions and Motions in Limine
- 7/1/2016 Government Disclosure of all Jencks Act material, inclusive of all witness statements, FD-302s, and grand jury testimony for all witnesses including law enforcement witnesses.
- 6/20/2016 Requested Voir Dire and Jury Instructions
- 7/8/2016 Responses to Voir Dire and Jury Instructions
- 6/2016 Status Conference and Hearing on Pending Motions (to be scheduled by the Court)
- 7/2016 Pretrial Conference at 10:30 a.m.(to be scheduled by the Court)
- 8/2016 Jury Selection and Trial (If Death Penalty Not Sought) (to be scheduled by the Court)

**If Notice Filed By Government that the Death Penalty Will be
Sought Pursuant to 18 U.S.C. § 3593**

5/15/2016 If Death Penalty is sought - Defense Expert Disclosure RULE 16 (b)(1)(C)) as to all matters within the scope of Rule 12.2 (a) relating to a Notice of Insanity Defense with the understanding the penalty stage disclosures by the defense will be provided only to govt. counsel that is firewalled from the first stage of the case.

6/15/2016 Government Motion for Psychiatric or Psychological Examination

7/22/2016 Stage 2 (Death Penalty) Motions

9/15/2016 Government Expert Disclosure in Response to Defense Rule 12.2 Expert Notice

9/12/2016 Government Response to Penalty Motions

10/6/2016 Status Conference and Hearing on Pending Motions at 10:30 a.m.

11/21/2016 Requested Voir Dire and Jury Instructions

12/12/2016 Responses to Voir Dire and Jury Instructions


12/2016 Status Conference and Hearing on Pending Motions (to be scheduled by the Court)

12/2016 Pretrial Conference (to be scheduled by the Court)

1/2017 Jury Trial if Death Penalty is Sought (to be scheduled by the Court)

IT IS ORDERED that no date set by this Order can be changed except for good cause and upon written Order of this Court prior to the date scheduled.

ORDERED this 7 day of Aug, 2015.



Magistrate Judge F.A. Gossett III

Approved as to Form and Content:

Assistant U.S. Attorney Meredith B. Tyrakoski
TX #24057766

And

Assistant U.S. Attorney Matthew R. Molsen, #22693
1620 Dodge Street, Suite 1400
Omaha, NE 68102-1506
Attorneys for Plaintiff

Prepared and Submitted by:

Kristina B. Murphree #18373
Marks Clare & Richards, L.L.C.
11605 Miracle Hills Dr., Ste. 300
Omaha, NE 68154

KMurphree@MCRLawyers.com

and

Jack D. Fisher #2939
Post Office Box 1976
Edmond, OK 73083
okfishlaw@aol.com
Attorneys for Defendant